

### **REMARKS**

Claims 1, 3-15, 17-26, and 28-34 are pending in the present Application. Claims 21-26 and 28-30 have been cancelled without prejudice.

Claims 1, 3-14, and 33 are objected to because of certain informalities found in claim 1. Applicant has appropriately amended claim 1 to delete the redundant "of the plurality".

Claims 31, 32, and 34 are rejected under 35 U.S.C. §112 first paragraph as failing to comply with the written description requirement. In particular, Examiner finds no support for "a transmitter to convey the altered indication..." Accordingly, Applicant has amended claims 32 and 34 in accordance with Applicant's teaching at page 15, line 17 to page 16, line 5 to read --providing the altered indication of the second radio access network capability to the first listing in the central database-- in claim 32 and the equivalent for the apparatus element of claim 34.

Claims 1, 3-15, 17-20, and 33 are rejected under 35 U.S.C. §103(a) as being unpatentable over published European Patent Application No. EP0781064A2 by Jorma Seppanen et al. ("Jorma") in view of U.S. Patent Application Publication No. 2003/0186695 by Bridges et al. ("Bridges"). Independent claims 1 and 15 have been amended in a manner to better distinguish the invention of the present Application over the cited combination of references. As now claimed, a particular network portion capability is altered in response to the detector receiving a message from the particular network portion identifying values associated with the particular network, as described in Applicant's specification at page 7, lines 4-22.

Jorma is directed to a multi-mode mobile terminal having a single prioritized list of all available cellular networks and which provides access to the various networks based on the user's needs. Acquisition of network-identifying PSIDs (Private System IDs) and/or RSIDs (Residential System IDs) is accomplished in three ways. First, "NAM programmed PSIDs/RSIDs are intended to be entered by a service technician and will be, in general, permanent, although their Alpha Tags may be updated." Col. 3, lines 36-39, emphasis added. Second, "Test Registration ... is primarily used for acquiring new PSIDs/RSIDs. Each PSID/RSID acquired by a Test Registration is stored individually and replaces a previously stored PSID/RSID within the Test Registration storage area if the storage area is full." Col. 3, lines 39-44, emphasis added. Third, "the Registration Accept ... automatically load[s] a PSID/RSID set ... a new list overwrites any previously stored PSIDs/RSIDs within the Registration Accept storage area." Col. 3, lines 44-49, emphasis added. Thus, Jorma does not teach the receiving of a message from a second network portion and altering the indication of network-portion capability of that second network. Rather, Jorma teaches only accepting new PSIDs/RSIDs and storing them (overwriting existing PSID/RSID information when the memory is full) or accepting an entire list of PSIDs/RSIDs to replace an entire stored list.

Examiner has observed that Jorma does not disclose altering the indication of network-portion capability of any of the plurality of networks when the message is of values identifying a network-portion capability to be different than identified in the listing, and has introduced Bridges to teach this missing element of Applicant's claims. Bridges is directed to mobile stations for cellular, PCS, and other wireless network systems in which the mobile

stations have intelligent roaming and over-the-air programming. A list of preferred wireless carrier identities based on class of service (COS), national account (NA), roaming airtime rates, services, or air interface technology is generated by a data-providing device and sent to the mobile stations. See paragraphs [0024], [0026], and [0077]. When the mobile station is to be reprogrammed, a list of all of the preferred wireless network systems (PSL/IRDB) is downloaded along with an OTAF (Over-the-Air Activation) application that provides the mobile station with its own NA, COS, and MIN (Mobile Identification Number) information. See paragraph [0078]. Thus, Bridges' reprogramming replaces an entire list of wireless network systems determined by a network operator, rather than an update of a specific network when the values for that network are different than those identified in the listing. Since neither Jorma nor Bridges, taken alone or in combination, disclose all of the claimed features of Applicant's invention, a *prima facie* case of obviousness has not been presented and the independent apparatus claim 1 (and the related independent method claim 15) and claims dependent thereon are believed to be allowable.

Claims 21-26, 28-32, and 34 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bridges in view of Jorma and further in view of U.S. Patent No. 7,606,242 to Whelan ("Whelan"). Independent claims 32 and 34 have been amended in a manner to better distinguish the invention of the present Application over the cited combination of references. Claims 21 and 26, and claims dependent thereon have been cancelled thereby making the present rejection of them under §103 moot.

It is important to keep in mind that Applicant desires that "[d]eterminations of network capabilities are dynamically made, or at least updated, and decisions are made by the mobile node, not prescribed by a network operator." Specification, page 6, lines 13-15.

Consequently, the mobile node is provided capability of updating its database listing to account for an indicated capability of a present network. See specification, page 7, lines 4-22. Complete database replacement is not needed. Bridges repeatedly teaches an entire network list replacement for the mobile station. See Bridges, paragraphs [0026], [0028], [0029], [0031], [0032], and [0033], for example. And even when discussing a reprogramming scenario, the network information is replaced as an entire list; the mobile-specific, single item OTAF information (each: NA, COS, MIN, etc.) is downloaded into the mobile station with the network information list. See Bridges, paragraph [0078]. Accordingly, Applicant's claimed element of dynamically altering the indication of the second radio access network capability of the listing in the second database when a message is of values identifying the second radio access network capabilities are different from those identified in the listing is not taught by Bridges.

Examiner has observed that Applicant's "conveying the altered indication...to the central database" is not disclosed in the disclosure of the Bridges/Jorma combination, and has introduced Whelan to teach this missing element. Whelan is directed to network management and network security as applied to associations between mobile units and access points. The mobile units are controlled by an operator entity that forces association only with a mandatory list of access points, including preferred access points but excluding other access points. See

col. 4, lines 34-47. Since the mobile unit is to be controlled by the operating entity, the association lists at the mobile unit are to be synchronized with the association lists at the roaming server. If synchronization is determined to be needed, both of the lists are synchronized in their entirety. See col. 8, lines 33-42. This is not the providing the altered indication of the second radio access network capability to the central database.

Accordingly, all of the elements of independent claims 32 and 34, as now amended, have not been disclosed by the combination of Bridges, Jorma, and Whelan. A *prima facie* case of obviousness has not been presented and the independent method claim 32, the related independent apparatus claim 34, and claims dependent thereon are believed to be allowable.

In light of the foregoing amendment and remarks, Applicant believes the present Application to be in a condition suitable for allowance. Applicant respectfully urges Examiner to withdraw the objection and rejections, reconsider the claims as amended, and pass the present Application, as amended, to allowance.

Respectfully submitted,

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